

HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

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W.P.No.10304 of 1998

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Dated 20th day of March, 2007

Between:

Smt. D. Venkamma
Petitioner

..

And

The Mandal Revenue Officer,
Nizamabad
and another
Respondents

..

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ORDER:

This writ petition is filed seeking a mandamus to declare the action of the respondents in trying to dispossess the petitioner from her House bearing No.10-3-179/6 in Plot No.0128 situated at Shivajinagar, Nizamabad, without following due process of law, and not allowing her to go ahead with her house construction as per the permission dated 23.6.1997, as arbitrary and illegal,

The brief facts of the case are that in the year 1994, the petitioner was allotted a small piece of 60 yards of land. When she applied for municipal permission for construction of her house, the 2nd respondent accorded approval, vide his proceedings dated 23.6.1997, and she started construction of house in it. Now, her grievance is that the respondents, without issuing any notice to her to put forth her version, are trying to dismantle the construction and dispossess her from the land in question.

Having heard the learned counsel for both the parties and perused the material placed on record, this Court is of the view that the action of the respondents in trying to dispossess the petitioner from the Plot in question without following due process of law is definitely illegal. Hence, this Court deems it appropriate to direct the respondents not to dispossess the petitioner without following due process of law.

With the above direction, the writ petition is disposed of. No costs.

20.03.2007

bcj